

REMARKS

Favorable reconsideration of this application, in light of the preceding amendments and following remarks, is respectfully requested.

Claims 15-18, 20-21, 27-28, 34-35 and 41-42 are pending in this application. By this Amendment, claims 15-18, 20-21, 27-28, 34-35, 41-42 are amended and claims 23-25, 30-32, 37-39 and 44-46 have been cancelled. No new matter is added. Claims 15-18 are the independent claims. Example support for the amendments herein may be found at Para. [0041-0052] and Figs. 4-7 of Applicants' application.

Provisional Double Patenting Rejection

Claims 15-18, 20-21, 23-25, 27-28, 30-32, 34-35, 37-39, 41-42 and 44-46 are provisionally rejected on the grounds of non-statutory obviousness-type double patenting as being unpatentable over claims 1-2, 6-11, 15, 33-38, 40-42, 46-47, 49-52, and 54 of copending Application No. 10/766,193 and as being unpatentable over claims 1-6, 8-16, 18-45 of copending Application No. 10/766,239.

Applicants acknowledge this provisional rejection, and will take the appropriate steps to address this rejection once the claims in the present application and the claims in at least one of copending applications Nos. 10/766,193 and 10/766,239 are indicated as including allowable subject matter since this provisional rejection is based on claims that may change. Further, Applicants respectfully request the Examiner reconsider this rejection in view of the amended claims.

Rejections under 35 U.S.C. § 102

Claims 15-18, 23-25, 30, 31, 37, 39, 44 and 46 are rejected under 35 U.S.C. §102(e) as being anticipated by US 2005/0019007 ("Kato"). Applicants respectfully traverse this rejection for the reasons detailed below.

Amended claim 15 recites *inter alia*, a “playlist file including at least one playitem indicating an in-point and an out-point of a first stream file for reproducing presentation data...the presentation data being divided into a plurality of still picture units.” The Examiner relies on Para. [0225-0231] and Figs. 11 and 13 of Kato to disclose the above limitation. However, Para. [0225-0231] and Figs. 11 and 13 of Kato only disclose the relationship between a “thumbnail” and a “mark” of a “playlist.” More specifically, Para. [0225, 227, 229] of Kato disclose that the “thumbnail is a still picture” and that “thumbnails” are stored in a “file,” where “whenever a thumbnail is required” for a “mark” of the “playlist,” the “apparatus” of Kato “opens a file and reads out a portion of the file.” Therefore, as further shown, in Fig. 11 of Kato, the “playlist” or “marks” of the playlist in Kato each simply use a single pointer to point to an address of a single “thumbnail” in a “file.” As such, Kato fails to disclose a “playlist file including at least one playitem indicating an in-point and an out-point of a first stream file for reproducing presentation data...the presentation data being divided into a plurality of still picture units,” as recited in amended claim 15.

Further, as shown in Fig. 12 and disclosed at Para. [0227] of Kato, the thumbnail files of Kato are not disclosed to include any additional information. As such, Kato also fails to disclose “the still picture units including the at least one still picture and associated related data,” as recited in amended claim 15. As Kato does not disclose the “related data” of amended claim 15, Kato also fails to disclose “the related data not including the audio data” and “the related data being reproduced with the at least one still picture synchronously,” as recited in amended claim 15.

Amended claim 15 recites *inter alia*, a “second stream file including the audio data being reproduced with the at least one still picture asynchronously.” The Examiner relies on Para. [0177-0179] and Figs. 7, 14 and 26 of Kato to disclose the

“audio data” of amended claim 15. However, the above passages and figures of Kato fail to disclose a **relationship** between the “audio stream” and the “thumbnails” of Kato. As such, Kato fails to disclose the “second stream file including the **audio data** being reproduced with the at least one **still picture asynchronously**,” as recited in amended claim 15.

For at least the foregoing reasons, amended claim 15 is patentable over Kato. Amended independent claims 16-18 are at least somewhat similar to amended claim 15 and therefore patentable for at least somewhat similar reasons. Claims 23-25, 30-31, 37, 39, 44 and 46 are cancelled. Applicants, therefore, respectfully request that the rejection to the above claims under 35 U.S.C. § 102(e) be withdrawn.

Rejections under 35 U.S.C. § 103

Claims 20-21, 27-28, 34-35 and 41-42

Claims 20-21, 27-28, 34-35 and 41-42 are rejected under 35 U.S.C. §103(a) as being unpatentable over Kato in view of US 6,532,335 (“Otomo”). Applicants respectfully traverse this rejection for the reasons detailed below.

Even assuming *arguendo* that Kato and Otomo are combinable (which Applicants do not admit), Otomo still fails to remedy the deficiencies of Kato with respect to amended claims 15-18. Dependent claims 20-21, 27-28, 34-35 and 41-42 are at least patentable by virtue of their dependency on one of amended independent claims 15-18. Applicants, therefore, respectfully request that the rejection to the above claims under 35 U.S.C. § 103(a) be withdrawn.

Claims 15-18, 20-21, 23-25, 27-28, 30, 31, 34-35, 37, 39, 41-42, 44 and 46

Claims 15-18, 20-21, 23-25, 27-28, 30, 31, 34-35, 37, 39, 41-42, 44 and 46 are rejected under 35 U.S.C. §103(a) as being unpatentable over US 6,574,419

("Nonomura") in view of US 6,266,483 ("Okada"). Applicants respectfully traverse this rejection for the reasons detailed below.

Amended claim 15 recites *inter alia*, a "playlist file including at least one playitem indicating an in-point and an out-point of a first stream file for reproducing presentation data...the presentation data being divided into a plurality of still picture units." The Examiner relies on Col. 8, Ln. 15-68 and Figs. 5, 6 and 8 of Nonomura to disclose the above limitation. As disclosed at Col. 8, Ln. 35-42 and shown in Fig. 6A of Nonomura, in the "still picture pack 533, only still picture data is recorded," where "the plurality of still picture packs 533 correspond to data for one still picture." Further, as disclosed at Col. 8, Ln. 16-42 and shown in Figs. 5 and 6A of Nonomura, the "still picture pack 533" is included in an "audio still video object 521 (ASVOB#1)," which is part of an "audio still video unit 513." The "audio still video unit 513" is included in an "audio still video object set (ASVOBS) 502," which is part of an "audio still video set 500." Therefore, **Nonomura merely discloses the "still picture pack 533" to be a part of larger file structure.** Thus, **Nonomura does not even disclose a relationship between a separate file and the file of the "still picture pack 533."** As such, Nonomura fails to disclose a "playlist file including at least one playitem indicating an in-point and an out-point of a first stream file for reproducing presentation data...the presentation data being divided into a plurality of still picture units," as recited in amended claim 15.

Further, as Nonomura only discloses the "still picture pack 533" to include "still picture data," Nonomura also fails to disclose "the still picture units including the **at least one still picture and associated related data**," with "the related data being reproduced with the at least one **still picture synchronously**," as recited in amended claim 15.

Amended claim 15 recites *inter alia*, a “second stream file including the **audio data** being reproduced with the at least one **still picture asynchronously**.” The Examiner relies on the “audio title set 900” disclosed at Col. 6, Ln. 38-60 and shown in Fig. 3 of Nonomura to disclose the above limitation. However, the above passages and figures of Nonomura fail to disclose a **relationship** between the “audio title set 900” that includes “pieces of audio data” and the “still picture pack 533” of Nonomura. As such, Nonomura fails to disclose the “second stream file including the **audio data** being reproduced with the at least one **still picture asynchronously**,” as recited in amended claim 15.

For at least the foregoing reasons, amended claim 15 is patentable over Nonomura. Even assuming *arguendo* that Nonomura and Okada are combinable (which Applicants do not admit), Okada still fails to remedy the deficiencies of Nonomura with respect to amended claim 15. Amended independent claims 16-18 are at least somewhat similar to amended claim 15 and therefore patentable for at least somewhat similar reasons. Dependent claims 20-21, 27-28, 34-35 and 41-42 are at least patentable by virtue of their dependency on one of independent claims 15, 16, 17 and 18. Claims 23-25, 30-31, 37, 39, 44 and 46 are cancelled. Applicants, therefore, respectfully request that the rejection to the above claims under 35 U.S.C. § 103(a) be withdrawn.

CONCLUSION

In view of the above remarks and amendments, the Applicants respectfully submit that each of the pending objections and rejections has been addressed and overcome, placing the present application in condition for allowance. A notice to that effect is respectfully requested. If the Examiner believes that personal communication will expedite prosecution of this application, the Examiner is invited to contact the undersigned.

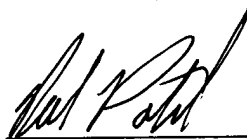
Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Gary D. Yacura, at the telephone number of the undersigned below.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 08-0750 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17; particularly, extension of time fees.

Respectfully submitted,

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By



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